

REMARKS

Claims 1 and 4-7 are all the claims pending in the application.

I. Response to Rejection under 35 U.S.C. § 103

Claims 1 and 4-7 were rejected under 35 U.S.C. § 103(a) as allegedly obvious over U.S. Patent Application Publication No. 2004/0038612 to Forbes et al. Applicants respectfully traverse the rejection for the following reasons.

Sole independent claim 1 recites an extensible nonwoven fabric which is a spunbonded nonwoven fabric that comprises a fiber having substantially no crimps and comprising at least two olefin-based polymers, said at least two olefin-based polymers being of the same kind and having a difference between induction periods of strain-induced crystallization, as measured at the same temperature and the same shear strain rate, of 100 seconds or longer, wherein among the at least two olefin polymers constituting the fiber, the olefin-based polymer having the earliest induction period of strain-induced crystallization is contained in an amount of 1 to 20 wt% of the fiber, and wherein the fiber is a conjugate fiber having a concentric sheath-core configuration, in which the core resin has the earliest induction period of strain-induced crystallization.

The Office Action alleges that “the claimed range overlaps, since Forbes et al. indicates that core comprises about 20% by weight of the fiber” (page 3, last paragraph of the Office Action). Applicants respectfully disagree.

Forbes et al. discloses polymeric filaments including a sheath polymer and a core polymer. Forbes et al. further describes that the sheath polymer can be present in the continuous filament in an amount from about 20% by weight to about 70% by weight (paragraphs [0007] and [0033]). That is, in Forbes et al.'s filaments, the core polymer constitutes not less than 30 %

by weight of the fiber. In all of the examples of Forbes et al., sheath polymer and core polymer each were contained 50% by weight of the filaments.

As noted above, present claim 1 recites that the core comprises 1 to 20% by weight of the fiber. The present specification demonstrates that the presently claimed fabrics can provide unexpected results. Specifically, as shown in Table 3 of the present specification, Example 9 and Example 10 both contain PP2 as core resin and PP5 as sheath resin. It is clear that fiber of Example 10, wherein core comprises 50% (more than 20%) by weight of the fiber, exhibits lower extensibility at maximum load (%) than fiber of Example 9, wherein core comprises 20% by weight of the fiber. Forbes et al. does not disclose or suggest these effects achievable in the presently claimed fabrics.

In view of the foregoing, Applicants respectfully submit that claim 1 is patentable over Forbes et al. and thus the rejection should be withdrawn. Additionally, claims 4-7 depend from claim 1 and thus are patentable over Forbes et al. at least by virtue of their dependency.


II. Conclusion

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned at his earliest convenience.

Respectfully submitted,

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